

ORIGINAL

PETER B. CARLISLE 2209
Prosecuting Attorney
CHASTITY T. I. IMAMURA 7773
Deputy Prosecuting Attorney
City and County of Honolulu
Alii Place
1060 Richards Street, 10th Floor
Honolulu, Hawaii 96813
Ph: 547-7480
FAX: 547-7513
Attorneys for State of Hawaii

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

OCT 17 2006

at 9 o'clock and 45 min. AM
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 03-00179-HG
)	
Plaintiff,)	APPLICATION REGARDING
)	TEMPORARY TRANSFER OF
v.)	CUSTODY TO THE STATE OF HAWAII
)	REGARDING WRIT OF HABEAS
JOSEPH GOMES,)	CORPUS AD PROSEQUENDUM;
)	EXHIBITS "A AND B"
Defendant.)	
)	
)	
)	
)	

APPLICATION REGARDING TEMPORARY TRANSFER
OF CUSTODY TO THE STATE OF HAWAII REGARDING
WRIT OF HABEAS CORPUS AD PROSEQUENDUM

Chastity T. I. Imamura, Deputy Prosecuting Attorney for the City and County of Honolulu, State of Hawaii, hereby moves the Honorable Court for an Order authorizing the temporary transfer of the physical custody of JOSEPH GOMES from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials from time to time and as needed until the conclusion of State of Hawaii v. JOSEPH GOMES, Criminal Nos. 00-1-0574 and 00-1-2512.

Defendant JOSEPH GOMES is now detained in the custody of the United States Marshal Service, District of Hawaii, serving a 156 month federal term of imprisonment.

Defendant JOSEPH GOMES has a hearing for Resentencing before the Honorable Derrick H. M. Chan, Judge of the Circuit Court of the First Circuit, State of Hawaii, currently scheduled for November 1, 2006, 8:30 a.m.

The State of Hawaii has received approval for a temporary transfer of custody from the Assistant United States Attorney assigned to the above matter. (See, Exhibit "A").

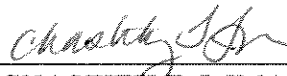
This Application requests that the Court grant a temporary transfer of the physical custody of JOSEPH GOMES from the United States Marshal Service, District of Hawaii, to State of Hawaii Officials, based on the State of Hawaii's Writ of Habeas Corpus ad Prosequendum filed on October 12, 2006, in the Circuit Court of the First Circuit, State of Hawaii (see, Exhibit "B").

Upon conclusion of State of Hawaii v. JOSEPH GOMES, Criminal Nos. 00-1-0574 and 00-1-2512, Defendant JOSEPH GOMES will be returned to the United States Marshal Service, District of Hawaii, on a mutually agreed upon date.

Dated at Honolulu, Hawaii: October 12, 2006.

STATE OF HAWAII

By PETER B. CARLISLE
Prosecuting Attorney

By 
CHASTITY T. I. IMAMURA
Deputy Prosecuting Attorney
City and County of Honolulu